

ROSENBERG et al., Ser. No. 09/787,079

REMARKS

Claims 1-5, 7-9 and 11-12 are pending.

Claims 1-5, 7-9 and 11-12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Klimesch'585 (U.S. 4,880,585) in view of Klimesch'379 (U.S. 5,073,379). Applicants respectfully traverse this rejection.

To establish a *prima facie* case of obviousness, the prior art references must teach or suggest all of the claim limitations and there must be some suggestion or motivation to modify the references or combine reference teachings (MPEP 2142-2143).

Amended claim 1 and previously presented claim 12 make it clear that the present invention involves the separate steps of

1. tablet formation,
2. cooling of the formed tablets,
3. singulation of the cooled tablets, and
4. deflashing of the singulated tablets,

where at least steps 1-3 are effected in a continuous process characterized by the presence of a continuous tablet belt.

Even if the skilled person were to combine Klimesch'585 and Klimesch'379, such combination would not suggest dividing tablet formation, cooling and singulation into three separate stages arranged sequentially.

In fact, in Klimesch '379, tablets are formed, cooled and singulated in a single step characterized by the absence of a continuous tablet belt. Thus, in Klimesch'379, any endeavor to optimize one step of the process results in effects on others (e.g. when increasing the time allowed for the tablets to cool down before separation, Klimesch'379 would require enlarging

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the dies used for forming the tablets because cooling down is effected in Klimesch'379 in the forming dies, thus leading to considerable investments).

With the present invention, it is possible to optimize each stage independently from each other according to the needs of the particular melt mixtures and pharmaceutical ingredients concerned, thus resulting both in considerable savings and increased flexibility of the production line.

In view of the aforementioned advantages of the present invention, it would not have been obvious to modify the teaching of the cited art to arrive at said invention.